

Remarks

A Request for Continued Examination (RCE) is filed concurrently herewith.

Claims 1-23 are all the claims pending in this application. Claim 23 is newly added. No new matter is included. Selected claims are amended to clarify and more particularly indicate the claimed subject matter. The amendments are made for the purpose of expediting prosecution and are not made to overcome claim rejections. Reconsideration and allowance of all of the rejected claims are respectfully requested in view of the foregoing remarks.

Claim Rejection under 35 U.S.C. § 103

Claim 1-22 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over Mirabilis LTD, Quick Tour (“Quick Tour”), allegedly disclosed February 12, 1998, in view of ICQ Inc., ICQ Email Signature (“ICQ Email Signature”), allegedly disclosed May 2, 1999. Applicants respectfully traverse this rejection on the following basis.

Regarding independent claims 1, 6, 10, 15, 21 and 22, the Examiner relies on ICQ Email Signature to disclose the feature of enabling presentation of at least one user indicator within two or more types of electronic documents, wherein the electronic document types are capable of being generated using the two or more types of applications and wherein each user indicator is associated with the one or more target network user. In the rejection, the Examiner alleges that ICQ Email Signature disclosed these features on May 2, 1999, based on an entry in an internet archive service.

Applicants respectfully note that while it appears that the website, as a whole, may have been available as early as May 2, 1999, it does not necessarily follow that the content relied upon by the Examiner to support the rejection was disclosed as early as May 2, 1999. In the absence of any evidence illustrating the actual content that was disclosed on May 2, 1999, the Examiner has not met the burden of proof required to support the allegation that, on May 2, 1999, ICQ Email Signature disclosed the claimed features (see the Final Office Action at page 2, lines 17 and 18). In fact, this alleged date of disclosure may be unreliable because the actual date of publication of the ICQ Email Signature webpage is not particularly specified by the Wayback Machine website. A copy of a portion of the homepage of the Wayback Machine website (hereinafter “Wayback Machine”) is included herein as Appendix A. Apparently, in accessing archived webpages stored at the Wayback Machine, a user specifies a website and then may

select a date from a set of displayed dates to access a copy of the homepage of the specified website that was archived on the selected date (see Wayback Machine at the highlighted portion). While the user may browse other archived pages that have been linked to the homepage, the archive date is only represented by the Wayback Machine as being accurate for the homepage, and not for other archived pages linked thereto (see the Wayback Machine at the highlighted portion). In this case, the ICQ Email Signature webpage is a link off of the ICQ website. Therefore, the publication date relied upon by the Examiner for the ICQ Email Signature webpage is actually the publication date of an archived copy of the homepage of the ICQ website that happens to be linked to ICQ Email Signature within the Wayback Machine archive, and not necessarily the publication date of ICQ Email Signature that includes the features relied on by the Examiner to support the rejection.

Based on the lack of evidence surrounding the actual content that was disclosed on May 2, 1999, this rejection is improper. The lack of evidence surrounding the actual content that was disclosed on May 2, 1999 is especially prejudicial to Applicants as a result of the narrow window of time between the priority date of the instant application (June 2, 1999) and the alleged earliest possible publication date of ICQ Email Signature (May 2, 1999). In the absence of a more persuasive showing that content of the ICQ Email Signature relied on by the Examiner was in fact disclosed prior to the priority date of the subject application, the rejection must be withdrawn.

Newly Added Claims

Claim 23 is newly added to further define the features disclosed in the originally filed application and is believed to be allowable over the cited art.

More particularly, claim 23 recites, among other things, an identification determining module that references the user directory to access at least two user indicators that correspond to the at least two target network users associated with the at least two user depictions included in the documents and a user indicator presentation module that presents the at least two user indicators within the documents, wherein the user indicator presentation module is capable of presenting the at least two user indicators within the two or more types of electronic documents that are capable of being generated using the two or more types of applications.

In an exemplary embodiment, an electronic document may include names of recipients and/or originators (see the Specification at page 11, lines 26-28). A user directory may be used to determine user indicators that correspond to users depicted in the document (see the Specification at page 10, line 32- page 11, line 6). User indicators may be presented wherever users are depicted within two or more types of electronic documents that are capable of being generated using two or more types of applications (see the Specification at page 5, line 31-page 6, line 6).

The Examiner acknowledges that Quick Tour does not teach features similar to this one (see the Final Office Action at page 3, line 21-page 4, line 3). ICQ Email Signature likewise does not suggest this feature because ICQ Email Signature requires a user to enter an ICQ# so that the user's status may be tracked by the status indicator included in the email signature block (see ICQ Email on the first printed page). Therefore, the cited references, both alone and in combination, fail to teach or suggest an identification determining module that references the user directory to access at least two user indicators that correspond to the at least two target network users associated with the at least two user depictions included in the documents, and a user indicator presentation module that presents the at least two user indicators within the documents, wherein the user indicator presentation module is capable of presenting the at least two user indicators within the two or more types of electronic documents that are capable of being generated using the two or more types of applications. For at least this reason, claim 23 is allowable over the cited art.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Dated: December 6, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sean L. Ingram', with a horizontal line extending to the right.

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Application Serial No.: 09/583,734
Attorney Docket No.: 042846-0312790
Reply and Amendment Accompanying RCE

APPENDIX A



Web | Moving Images | Texts | Audio | Software |
Patron Info



Wayback Machine | Researcher Access | FreeCache | SFLan | Petabox | Open Source
Media | Heritrix

Search: Wayback Machine

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About the Wayback Machine

Browse through 30 billion web pages archived from 1996 to a few months ago. To start surfing the Wayback, type in the web address of a site or page where you would like to start, and press enter. Then select from the archived dates available. The resulting pages point to other archived pages at as close a date as possible. Keyword searching is not currently supported, but there are some researcher tools that perform similar functions (see the researcher tool section).

<http://archive.bibalex.org>, the Internet archive at the New Library of Alexandria, Egypt, mirrors the Wayback Machine. Try your search there when you have trouble connecting to the Wayback servers.

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Web Collections



National Archives

The UK Central Government Web Archive is a selective collection of UK Government websites, archived from August 2003, which has been collected by the Internet Archive on behalf of the National Archives of the United Kingdom. history.

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Election 2002

The Library of Congress has recently completed its election 2002 Web archive. The Election 2002 Web Archive is a selective collection of nearly 4,000 sites archived between July 1, 2002 and November 30, 2002.

The initial March 4th, 2003 release of the Election 2002 Web Archive includes web sites produced by congressional and gubernatorial candidates. Future releases may include party, interest group, press, government, civic, and other selective web sites related to the 2002 national and statewide elections. Additional materials will be made available as the collection is processed for long-term preservation.

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September 11th

The tragic events of September 11, 2001, prompted web creators